

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

LINDA MELLEN,

Plaintiff,

v.

TRUSTEES OF BOSTON UNIVERSITY
AND FRANCES A. DROLETTE,

Defendants.

Civil Action No. 04-10644-MEL

MOTION FOR LEAVE TO FILE REPLY IN SUPPORT OF
DEFENDANTS' MOTION TO QUASH SUBPOENA AND FOR
ENTRY OF A PROTECTIVE ORDER

Defendants respectfully request leave of Court to file a brief reply (5 pages) to Plaintiff's Opposition to Defendants' Motion To Quash Subpoena. Although discovery in this case ended more than a year ago, Plaintiff has served a subpoena on counsel for two former employees of the University who sued the University in an unrelated case. Plaintiff's Opposition engages in an extensive discussion of that unrelated case. Plaintiff's Opposition also falsely accuses the University of withholding documents in this case in bad faith. The University is compelled to clarify the record on these issues and has done so as succinctly as possible.

CONCLUSION

WHEREFORE, Defendants Trustees of Boston University and Frances A. Drolette respectfully request that they be granted leave to file the accompanying Reply Defendants' Motion To Quash Subpoena And For Entry Of A Protective Order.

TRUSTEES OF BOSTON UNIVERSITY
AND FRANCES A. DROLETTE,
By their attorneys,

/s/Crystal D. Talley

Lawrence S. Elswit, BBO # 153900

Crystal D. Talley, BBO # 633759

Boston University

Office of the General Counsel

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Dated: September 26, 2006

LR 7.1 Certification

I, Crystal D. Talley, hereby certify that I have conferred with counsel for Plaintiff and have attempted in good faith to resolve or narrow the issues presented herein and that effort was unsuccessful.

/s/ Crystal D. Talley